

MARLBORO COUNTY COUNCIL

MARLBORO COUNTY CONFERENCE ROOM

THURSDAY, DECEMBER 9, 2004

6 PM

CHAIRMAN: KEN ALLEN
VICE CHAIRMAN: MARION WRIGHT
ADMINISTRATOR: ANNA HUBBARD CATON
COUNTY ATTORNEY: DONNIE MCDONALD

COUNCIL: JEAN MCLEAN, JEFF QUICK,
MICKEY ROGERS, CORRIE H. PLATO,
DR. CAROLYN PRINCE, KEN ALLEN,
EDMOND BLUE, AND MARION WRIGHT

* ABSENT

CALL TO ORDER

INVOCATION

PUBLIC HEARING

Ordinance # 545A – An Ordinance to repeal the Zoning Ordinance and to adopt a revised Zoning Ordinance for the County of Marlboro, South Carolina

Mr. Douglas Jennings, Attorney appeared before Council on behalf of Perdue Farms. He requested that Council postpone the Public Hearing for the Zoning Ordinance until a larger facility could be obtained to hold the hearing

A motion was made by Mr. Edmond Blue, seconded by Ms. Corrie Plato to table the Public Hearing of the Zoning Ordinance until a later date. Vote in favor. Unanimous. Motion Carried.

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Local Law Enforcement Block Grant – Ms. Caton, Administrator discussed briefly. She explained these funds would be used for 911.

A motion was made by Mr. Jeff Quick, seconded by Mr. Marion Wright to close the Public Hearing. Vote in favor. Unanimous. Motion Carried.

PRESENTATIONS

Mr. David Rogers, Farm Bureau – did not speak.

APPROVAL OF MINUTES – NOVEMBER 11, 2004

Motion made by Dr. Carolyn Prince, seconded by Ms. Corrie Plato approving the minutes of November 11, 2004. Vote in favor. Unanimous. Motion Carried.

OLD BUSINESS

ORDINANCE # 501B – AN ORDINANCE TO AMEND THE MOBILE HOME REGULATIONS AND LICENSING IN MARLBORO COUNTY – THIRD READING

Motion made by Mr. Jeff Quick, seconded by Mrs. Mickey Rogers approving the Third Reading of Ordinance # 501B – An Ordinance to amend the Mobile Home Regulations and Licensing in Marlboro County. Vote in favor. Unanimous. Motion Carried.

ORDINANCE # 587 – AN ORDINANCE TO APPROVE THE CONVEYANCE OF REAL PROPERTY TO THE CITY OF BENNETTSVILLE – THIRD READING

Motion made by Dr. Carolyn Prince, seconded by Mr. Marion Wright approving the third reading of Ordinance # 587 – An Ordinance to approve the conveyance of Real Property to the City of Bennettsville. Vote in favor. Unanimous. Motion Carried.

ORDINANCE # 545A – AN ORDINANCE TO REVISE THE ZONING ORDINANCE OF MARLBORO COUNTY – THIRD

Motion was made by Mrs. Mickey Rogers, seconded by Mr. Edmond Blue to table the third reading of Ordinance #545A until the Public Hearing could be held in a larger facility. Vote in favor. Unanimous. Motion Carried.

ORDINANCE # 588 – AN ORDINANCE TO POSTPONE REASSESSMENT – SECOND READING.

Ms. Caton, County Administrator discussed briefly. She explained Tax Assessor would not be able to meet the 2005 deadline and postponing the reassessment would not be of any major consequence to the County Tax base.

Motion made by Mr. Edmond Blue, seconded by Mrs. Mickey Rogers approving the second reading of Ordinance # 588 – An Ordinance to postpone reassessment. Vote in favor. Unanimous. Motion carried.

ORDINANCE # 589 – AN ORDINANCE GRANTING EASEMENTS TO MARLBORO WATER COMPANY – SECOND READING

Discussed briefly by Mr. Donnie McDonald.

Motion made by Mr. Jeff Quick, seconded by Mr. Edmond Blue approving the second reading of Ordinance # 589 – An Ordinance granting easements to Marlboro Water Company. Vote in favor. Unanimous. Motion Carried.

NEW BUSINESS

RESOLUTION # 04-11-01 – A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDUCEMENT AND MILLAGE RATE AGREEMENT BY AND BETWEEN MARLBORO COUNTY, SOUTH CAROLINA, AND ALADDIN (MOHAWK) MANUFACTURING CORPORATION.

Mr. Donnie McDonald discussed briefly.

Motion made by Mrs. Jean McLean, seconded by Mr. Jeff Quick approving Resolution 04-11-01 – a Resolution authorizing the execution and delivery of an inducement and millage rate agreement by and between Marlboro County, South Carolina, and Aladdin (Mohawk) Manufacturing Corporation. Vote in favor: Mr. Ken Allen, Mr. Edmond Blue, Mrs. Mickey Rogers, Mr. Jeff Quick, Mrs. Jean McLean, Mr. Marion Wright and Ms. Corrie Plato. Abstained: Dr. Carolyn Prince. Vote 7/1 Motion Carried.

RESOLUTION # 04-11-03 – A RESOLUTION FOR TAX DEFERRED PAYROLL DEDUCTIONS FOR INSTALLMENT SERVICE PURCHASE.

Ms. Caton advised this is proposed by the South Carolina Retirement System.

A motion was made by Mrs. Jean McLean, seconded by Mr. Jeff Quick approving Resolution # 04-11-03 – A resolution for tax deferred payroll deductions for installment service purchase. Vote in favor. Unanimous. Motion Carried.

RESOLUTION # 04-11-04 – A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION BY MARLBORO COUNTY TO THE STATE OF SOUTH CAROLINA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

Discussed briefly by Ms. Caton. She explained this is the Palmetto Brick project.

Motion was made by Mrs. Jean McLean, seconded by Mr. Marion Wright approving Resolution # 04-11-03 – A Resolution authorizing the submission of an application by Marlboro County to the State of South Carolina Community Development Block Grant Program. Vote in Favor. Unanimous. Motion Carried.

DISCUSSION/APPROVAL OF HOLIDAY SCHEDULE FOR 2005

Ms. Caton explained the number of days given are the same as previous years.

Motion was made by Mr. Jeff Quick, seconded by Mrs. Jean McLean approving the Holiday Schedule for 2005. Vote in favor. Unanimous. Motion Carried.

CONSIDERATION OF BIDS

Public Works Backhoe – Bids received were: Bobcat of Columbia – no bid, Altman Tractor & Equipment of Florence - \$54,272.00, Mitchell Distributing Company, LLC of West Columbia - \$58,444.16, Van Lott of West Columbia - \$61,696.24, and Blanchard Machinery Company of Florence - \$58,262.90. No local bids were received. Staff recommended Altman Tractor & Equipment of Florence for the amount of \$54,272.00.

Motion was made by Mrs. Jean McLean, seconded by Ms. Corrie Plato to approve the bid for the Public Works Backhoe for Altman Tractor & Equipment of Florence in the amount of \$54,272.00. Vote in favor. Unanimous. Motion Carried.

APPOINTMENTS OF BOARDS AND COMMISSIONS

Mr. Marion Wright explained that Ms. Elizabeth Covington who had been appointed to the Marlboro County Recreation Commission to serve in District 8 would not be able to accept the position.

Motion made by Mr. Marion Wright, seconded by Mrs. Mickey Rogers to approve the appointment of Mr. Samuel McCollum to the Marlboro County Recreation Commission to serve District 8. Vote in favor. Unanimous. Motion carried.

Motion made by Mr. Edmond Blue, seconded by Mrs. Mickey Rogers to approve the appointment of Mr. Bobby Brock to the Marlboro County Economic Development Board to serve District 7. Vote in Favor: Mr. Edmond Blue, Mrs. Mickey Rogers, Mrs. Jean McLean, Dr. Carolyn Prince, and Ms. Corrie Plato. Opposed: Mr. Ken Allen, Mr. Jeff Quick, and Mr. Marion Wright. Vote: 5/3. Motion carried.

Motion made by Mr. Ken Allen, seconded by Mr. Jeff Quick to approve the appointment of Mr. Tracy Kea to the Whipple Foundation Board. Vote in favor. Unanimous. Motion carried.

Motion made by Mr. Marion Wright, seconded by Mrs. Mickey Rogers to add an item to the agenda granting Mark Heath, Probate Judge permission to act as special referee. Vote in favor: Mr. Edmond Blue, Mrs. Mickey Rogers, Mr. Jeff Quick, Mrs. Jean McLean, Mr. Marion Wright, Ms. Corrie Plato, and Mr. Ken Allen. Abstain: Dr. Carolyn Prince. Vote 7/1. Motion carried.

Motion made by Mrs. Mickey Rogers, seconded by Ms. Corrie Plato granting Mark Heath, Probate Judge permission to act as special referee. Vote in favor. Unanimous. Motion carried.

Motion made by Mrs. Mickey Rogers, seconded by Mr. Edmond Blue to enter Executive Session. Vote in favor. Unanimous. Motion carried.

Motion made by Mrs. Mickey Rogers, seconded by Dr. Carolyn Prince to leave Executive Session and re-enter open session. Vote in favor. Unanimous. Motion carried.

Mr. Ken Allen, Chairman advised that no decisions had been made and no votes taken in Executive Session.

REPORTS

ADMINISTRATIVE/FINANCIAL REPORT – ANNA HUBBARD CATON, COUNTY ADMINISTRATOR

Ms. Caton presented the Administrative/Financial Report.

Expenditures are at 41% through the end of November, 2004.

The Recreation Commission Board still needs an appointment from one district. Plans are to meet December 15th in Council Chambers. Ms. Caton will be at this meeting.

Information was placed in Council packets concerning the Passage of a Resolution in support of revision to a Federal Statute regarding the Water Companies and the Federal Protection awarded to them under this Statute. She inquired if Council wanted to pass such resolution. Council approved placement on the January Agenda.

A request has been received from the Community Development Corporation in the amount of \$15,000 for a feasibility study for housing in Marlboro County. She advised it could be formally placed on the Agenda for January at the discretion of Council.

Ms. Caton updated Council on the progress of the Transfer Station and Convenience Center. She stated that the committee met with Waste Management representatives. A copy of a proposed agreement for a transfer station in the Wallace area has been distributed to Council Members for review. She advised this issue would be placed on the January Agenda.

Mr. Jeff Quick advised that the committee would like to meet with Waste Management representatives one more time after the holidays to discuss some of the smaller issues. Ms. Caton advised she would set it up.

Staff is working on preparations for the Convenience Center between Clio and McColl. The County Attorney is working on the deed documents.

The Solid Waste Management Plan needs revisions to incorporate the Transfer Station as well as DHEC requirements which no longer allow for letters of consistency to be released by County Council. DHEC will be determining whether it is consistent with our plan. Our plan needs to be concise and clear to allow DHEC to make the proper determinations when they receive applications for Solid Waste issues in the County. We have had a proposal from one engineering firm and have requested a proposal from another engineering for bids in updating our Plan. We do not have anyone on staff qualified to make these updates.

Ms. Joan Assay, a representative with the Judicial Court System through Chief Justice Cole's office would like to address Council in the near future. She would like to explain how the Fiber Optic system would work throughout the state. They are investing a large sum of funds in the judicial systems.

A contract has been received for the renovations to the county building which houses DHEC. DHEC has the funds allocated for the project. They have requested that the funds pass through the County since it is a County Facility. County will oversee the renovations. It will be placed on the January Agenda for consideration.

A request has been received from the Sheriff Elect for an auditing of the Sheriff Office funds. He was advised that the office had been audited as of June 30th. He advised that he would like an audit of the office since June 30th so there will be a clear audit of funds to show what has transpired from July 31st through January 3rd. He was apprised that Council may allow him to use funds in the Sheriff's budget for this purpose. Council concurred.

Council has been invited to the swearing in ceremony for the new Sheriff at the Court House on January 3rd beginning at 11 o'clock. Lunch will be served at the Bennettsville Community Center following the ceremony and everyone is welcome to attend.

The South Carolina Office of Rural Health Association has advised that automatic external Defibrillators are available to the County again this year. We have previously worked with Marlboro EMS to distribute the defibulators. This memorandum agreement will be placed on the January Agenda. The defibulators will be at no cost to Marlboro County.

A proposed Franchise agreement has been received from Northland Cable. A copy has been distributed to Council for review. The current franchise will expire August 2007. They have expressed a desire to know as soon as possible if the County plans to renew the agreement.

Recreation Staff have been apprised of issues discussed at the last Council meeting in regards to the Clio park. They are prepared to make the necessary repairs to the site. They are making plans to provide water to the site in the spring when the sports begin and to apply for a PARD Grant for upgrades to the facility.

Christmas Bonus's will be disbursed to staff shortly. The bonuses will be given to the same employee's as in the past at the same amount.

The Landscaping project has begun. The painting of the Courthouse has begun and is moving along well. Painting is being postponed around Court sessions as not to cause unnecessary distractions. Several trees which were dying or diseased have been cut down. Other trees have been pruned. Ms. Caton requested that Council review the grounds and call with any concerns or recommendations they may have.

A call has been received from an attorney in the area concerning Codification of Ordinances. He noted that copies of our Ordinances are not in the Clerk of Court's Office, only in the Administration office under the care of the Clerk of Council. Under the Statute it is noted that copies are to be in the Clerk of Courts office also. By investigating it was noted that copies were sent to the Clerk of Courts office previously. It was ceased under the Supervisor's form of government under Mr. Drigger's office. The reason is unknown. We will begin this process again. For Codification – the majority of counties use a Municipal Code Association. A quote has been received from the Municipal Code Association at the beginning of this budget year. The initial quote was \$12,000-\$13,000 for Ordinances we have on hand to date. Additional charges will occur as additional ordinances are added. County Attorney, Mr. McDonald explained what codification is.

The Grant Writing Position has been advertised as a position rather than a contractual arrangement as previously advertised. The resumes and applications received will be reviewed shortly.

Council members were wished a Merry Christmas and reminded that Council was invited to the staff Christmas drop-in on December 17th.

RECOGNITION OF CITIZEN'S REQUEST

No comments.

RECOGNITION OF COUNCIL MEMBERS

Dr. Carolyn Prince asked whether the Public Safety Committee had been able to meet to discuss the Wallace Rescue situation. She was advised that the committee had met to discuss the issues. Also, that Ms. Caton had spoken with Ms. Jackson and we are working on a resolution. Mr. Marion Wright advised the committee will meet again in January.

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Mr. Jeff Quick along with Mr. Edmond Blue wished everyone a Merry Christmas and a safe New Year.

ADJOURNMENT

There was no further discussion. The meeting was adjourned.

Minutes were adopted January 13, 2005

Susan E. Rivers, Clerk to Council